

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 715b, 4402 of this title.

SUBCHAPTER IV—HUNTING AND CONSERVATION STAMP TAX

§ 718f. Enforcement; authority of United States judges, magistrate judges, and employees of Department of the Interior

For the efficient execution of this subchapter, the judges of the several courts, established under the laws of the United States, United States magistrate judges, and persons appointed by the Secretary of the Interior to enforce the provisions of this subchapter, shall have, with respect thereto, like powers and duties as are conferred upon said judges, magistrate judges, and employees of the Department of the Interior by the Migratory Bird Treaty Act [16 U.S.C. 703 et seq.], or any other Act to carry into effect any treaty for the protection of migratory birds with respect to that Act. Any bird or part thereof taken or possessed contrary to this subchapter shall, when seized, be disposed of by the Secretary in accordance with law.

(As amended Dec. 1, 1990, Pub. L. 101-650, title III, § 321, 104 Stat. 5117.)

CHANGE OF NAME

"United States magistrate judges" and "magistrate judges" substituted for "United States magistrates" and "magistrates", respectively, in text pursuant to section 321 of Pub. L. 101-650, set out as a note under section 631 of Title 28, Judiciary and Judicial Procedure. Previously, "magistrates" substituted in text for "commissioners" pursuant to Pub. L. 90-578. See chapter 43 (§ 631 et seq.) of Title 28.

CHAPTER 8—UPPER MISSISSIPPI RIVER WILD LIFE AND FISH REFUGE

§ 727. Powers of employees of Department of the Interior

(a) Arrest; execution of warrants; searches

Any employee of the Department of the Interior authorized by the Secretary of the Interior to enforce the provisions of this chapter (1) shall have power, without warrant, to arrest any person committing in the presence of such employee a violation of this chapter or of any regulation made pursuant to this chapter, and to take such person immediately for examination or trial before an officer or court of competent jurisdiction, (2) shall have power to execute any warrant or other process issued by an officer or court of competent jurisdiction to enforce the provisions of this chapter or regulations made pursuant thereto, and (3) shall have authority, with a search warrant issued by an officer or court of competent jurisdiction to make a search in accordance with the terms of such warrant. Any judge of a court established under the laws of the United States, or any United States magistrate judge may, within his respective jurisdiction, upon proper oath or affirmation showing probable cause, issue warrants in all such cases.

[See main edition for text of (b) and (c)]

(As amended Dec. 1, 1990, Pub. L. 101-650, title III, § 321, 104 Stat. 5117.)

CHANGE OF NAME

"United States magistrate judge" substituted for "United States magistrate" in subsec. (a) pursuant to section 321 of Pub. L. 101-650, set out as a note under section 631 of Title 28, Judiciary and Judicial Procedure. Previously, "United States magistrate" substituted in subsec. (a) for "United States commissioner" pursuant to Pub. L. 90-578. See chapter 43 (§ 631 et seq.) of Title 28.

CHAPTER 9—FISH AND WILDLIFE SERVICE

§ 742c. Loans for financing or refinancing of cost of purchasing, constructing, equipping, maintaining, repairing, or operating commercial fishing vessels or gear

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 742c-1, 742k, 1534 of this title.

§ 742j-1. Airborne hunting

[See main edition for text of (a) to (c)]

(d) Enforcement; regulations; arrest; search; issuance and execution of warrants and process; cooperative agreements

The Secretary of the Interior shall enforce the provisions of this section and shall promulgate such regulations as he deems necessary and appropriate to carry out such enforcement. Any employee of the Department of the Interior authorized by the Secretary of the Interior to enforce the provisions of this section may, without warrant, arrest any person committing in his presence or view a violation of this section or of any regulation issued hereunder and take such person immediately for examination or trial before an officer or court of competent jurisdiction; may execute any warrant or other process issued by an officer or court of competent jurisdiction for the enforcement of the provisions of this section; and may, with or without a warrant, as authorized by law, search any place. The Secretary of the Interior is authorized to enter into cooperative agreements with State fish and wildlife agencies or other appropriate State authorities to facilitate enforcement of this section, and by such agreements to delegate such enforcement authority to State law enforcement personnel as he deems appropriate for effective enforcement of this section. Any judge of any court established under the laws of the United States, and any United States magistrate judge may, within his respective jurisdiction, upon proper oath or affirmation showing probable cause, issue warrants in all such cases.

[See main edition for text of (e) and (f)]

(As amended Dec. 1, 1990, Pub. L. 101-650, title III, § 321, 104 Stat. 5117.)

CHANGE OF NAME

"United States magistrate judge" substituted for "United States magistrate" in subsec. (d) pursuant to section 321 of Pub. L. 101-650, set out as a note under

section 631 of Title 28, Judiciary and Judicial Procedure.

CHAPTER 9A—PRESERVATION OF FISHERY RESOURCES

8 757d. Funding

(a) Authorization of appropriations

There are authorized to be appropriated to carry out the purposes of sections 757a to 757g of this title not to exceed the following sums:

(1) \$8,152,500 for fiscal year 1989.

(2) \$8,000,000 for each of the fiscal years 1990, 1991, 1992, 1993, 1994, and 1995.

Sums appropriated under this subsection are authorized to remain available until expended.

[See main edition for text of (b)]

(As amended Pub. L. 101-627, title IV, § 401, Nov. 28, 1990, 104 Stat. 4462.)

AMENDMENTS

1990—Subsec. (a)(1). Pub. L. 101-627, § 401(1), (2), redesignated par. (7) as (1) and struck out former par. (1) which authorized appropriations of \$11,000,000 for fiscal year 1980.

Subsec. (a)(2). Pub. L. 101-627, § 401(1), (3), added par. (2) and struck out former par. (2) which authorized appropriations of \$13,000,000 for fiscal year 1981.

Subsec. (a)(3) to (6). Pub. L. 101-627, § 401(1), struck out pars. (3) to (6) which authorized appropriations of \$15,000,000 for fiscal year 1982, \$7,500,000 for fiscal years 1983, 1984, 1985, and 1986, \$7,702,500 for fiscal year 1987, and \$7,920,000 for fiscal year 1988, respectively.

Subsec. (a)(7). Pub. L. 101-627, § 401(2), redesignated par. (7) as (1).

8 758e-5. Authorization of appropriations

There is authorized to be appropriated for the period beginning July 1, 1973, and ending June 30, 1976, the sum of \$3,000,000, and for the period beginning July 1, 1976, and ending September 30, 1979, the sum of \$4,000,000, and for each of the fiscal years 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, and 1995, the sum of \$5,000,000, to carry out the purposes of sections 758e to 758e-5 of this title. Sums appropriated pursuant to this section shall remain available until expended.

(As amended Pub. L. 101-627, title VI, § 601, Nov. 28, 1990, 104 Stat. 4463.)

AMENDMENTS

1990—Pub. L. 101-627, which directed the substitution of "1988, 1989, 1990, 1991, 1992, 1993, 1994, and 1995" for "and 1988" in section 7 of the Central, Western, and South Pacific Fisheries Development Act, meaning section 7 of Pub. L. 92-444, was executed by making the substitution in section 8 of Pub. L. 92-444, this section, to reflect the probable intent of Congress and the renumbering of section 7 as 8 by Pub. L. 95-295, § 1(4).

CHAPTER 10B—FISH RESTORATION AND MANAGEMENT PROJECTS

Sec.

777e-1. New England Fishery Resources Restoration Act of 1990.

(a) Short title.

Sec.

(b) Purposes.

(c) Implementation of fishery resource restoration plans.

(d) Fish passage study.

(e) New England rivers fish and wildlife inventory.

(f) Authorization of appropriations.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 1225, 2904, 2905, 3125 of this title; title 25 sections 1709, 1745; title 26 section 9504; title 46 section 13101.

§ 777c. Funds available for expenses of investigations and administration; apportionment of funds among States

So much, not to exceed 6 per centum, of each annual appropriation made in accordance with the provisions of section 777b of this title as the Secretary of the Interior may estimate to be necessary for his expenses in the conduct of necessary investigations, administration, and the execution of this chapter and for aiding in the formulation, adoption, or administration of any compact between two or more States for the conservation and management of migratory fishes in marine or freshwaters shall be deducted for that purpose, and such sum is authorized to be made available therefor until the expiration of the next succeeding fiscal year. The Secretary shall distribute 18 per centum of each annual appropriation made in accordance with the provisions of section 777b of this title as provided in the Coastal Wetlands Planning, Protection and Restoration Act [16 U.S.C. 3951 et seq.]: *Provided*, That, notwithstanding the provisions of section 777b of this title, such sums shall remain available to carry out such Act through fiscal year 1999. The Secretary of the Interior, after making the aforesaid deduction, shall apportion the remainder of the appropriation for each fiscal year among the several States in the following manner: 40 per centum in the ratio which the area of each State including coastal and Great Lakes waters (as determined by the Secretary of the Interior) bears to the total area of all the States, and 60 per centum in the ratio which the number of persons holding paid licenses to fish for sport or recreation in the State in the second fiscal year preceding the fiscal year for which such apportionment is made, as certified to said Secretary by the State fish and game departments, bears to the number of such persons in all the States. Such apportionments shall be adjusted equitably so that no State shall receive less than 1 per centum nor more than 5 per centum of the total amount apportioned. Where the apportionment to any State under this section is less than \$4,500 annually, the Secretary of the Interior may allocate not more than \$4,500 of said appropriation to said State to carry out the purposes of this chapter when said State certifies to the Secretary of the Interior that it has set aside not less than \$1,500 from its fish-and-game funds or has made, through its legislature, an appropriation in this amount of said purposes. So much of any sum not allocated under the provisions of this section for any fiscal year is hereby authorized to be made